

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

THOMAS MCKEE,

Plaintiff,

ORDER

18-cv-595-bbc

v.

STEVEN WIERENGA, YANA PUSICH, ANTHONY
ASHWORTH, KYLE TRITT, KRISTINA DE BLANC,
ANDREW MOUNGHEY, KYLE DEMERS,
ELAINE ANDERSON, JENNIFER KACYON,
ROBERT BILKOWSKI and ZACHARY KESKE,

Defendants.

Plaintiff Thomas McKee filed this lawsuit pro se, contending that staff at the Waupun Correctional Institution violated his constitutional rights by subjecting him to a harsh behavior modification plan for several months because he had mental health problems and suicidal tendencies. I granted plaintiff leave to proceed on claims under the Eighth and Fourteenth Amendments, and the court recruited counsel to represent plaintiff. Now plaintiff's counsel has now filed a second amended complaint. Dkt. #43. Because plaintiff is incarcerated, the second amended complaint must be screened under 28 U.S.C. § 1915A. The second amended complaint organizes plaintiff's allegations and claims and adds a few details, but it does not appear to add any new allegations or claims. Therefore, plaintiff may continue proceeding on his Eighth and Fourteenth Amendment claims against defendants for the reasons set forth in the previous screening orders. Dkt. #8 and Dkt. #17.

ORDER

IT IS ORDERED that:

(1) Plaintiff Thomas McKee is GRANTED leave to proceed on claims that (1) defendants Steven Wierenga, Yana Pusich, Anthony Ashworth, Kyle Tritt, Kristina de Blanc, Andrew Moungey, Kyle Demers, Elaine Anderson, Jennifer Kacyon, Robert Bilkowski and Zachary Keske violated his Eighth Amendment rights by subjecting him to harsh conditions of confinement associated with a behavioral modification plan and observation status; and (2) defendants Wierenga, Pusich, Ashworth, Tritt and de Blanc violated his Fourteenth Amendment rights by placing and keeping him on a harsh behavioral modification plan without adequate procedural protections.

(2) Defendants' motion for screening of the second amended complaint, dkt. #44, is GRANTED.

Entered this 2d day of June, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge